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9 UNITED STATES OF AMERICA

10 UNITED STATES DISTRICT COURT

11 FOR THE CENTRAL DISTRICT OF CALIFORNIA

12 UNITED STATES OF AMERICA,

13 Plaintiff,

14 v.

15 CHRISTIAN ERNEST BEYER,

16 Defendant.

No. CR 5:23-cr-00226-SSS

JOINT STATEMENT RE: DEFENDANT
CHRISTIAN ERNEST BEYER'S CHANGE OF
PLEA

17
18 Plaintiff United States of America, by and through its counsel
19 of record, the United States Attorney for the Central District of
20 California and Assistant United States Attorney Matt Coe-Odess and
21 defendant Christian Ernest Beyer, by and through his counsel of
22 record, Mariah Holder, hereby submit this joint statement regarding
23 defendant's Rule 11 plea.

24 GUILTY PLEA

25 1. Defendant is pleading guilty to the single-count indictment
26 in United States v. Christian Ernest Beyer, CR No. 5:23-00226-SSS,
27 which charges defendant with Threats by Interstate Communication in
28 violation of 18 U.S.C. § 875(c).

NATURE OF THE OFFENSE

2. For defendant to be guilty of the crime charged in count one, that is, Threats by Interstate Communication, in violation of Title 18, United States Code, Section 875(c), the following must be true: (1) defendant knowingly transmitted in interstate commerce a communication containing a threat to injure the person of another; and (2) such communication was transmitted for the purpose of issuing a threat, or with knowledge that the communication would be viewed as a threat. The government need not prove that the defendant intended to carry out the threat.

PENALTIES

3. The statutory maximum sentence that the Court can impose for a violation of Title 18, United States Code, Section 875(c), is: 5 years' imprisonment; a three-year period of supervised release; a fine of \$250,000 or twice the gross gain or gross loss resulting from the offense, whichever is greatest; and a mandatory special assessment of \$100.

4. Supervised release is a period of time following imprisonment during which defendant will be subject to various restrictions and requirements. If defendant violates one or more of the conditions of any supervised release imposed, defendant may be returned to prison for all or part of the term of supervised release authorized by statute for the offense that resulted in the term of supervised release, which could result in defendant serving a total term of imprisonment greater than the statutory maximum stated above.

5. By pleading guilty, defendant may be giving up valuable government benefits and valuable civic rights, such as the right to vote, the right to possess a firearm, the right to hold office, and

1 the right to serve on a jury. Defendant is pleading guilty to a
2 felony and that it is a federal crime for a convicted felon to
3 possess a firearm or ammunition. The conviction in this case may
4 also subject defendant to various other collateral consequences,
5 including but not limited to revocation of probation, parole, or
6 supervised release in another case and suspension or revocation of a
7 professional license. Unanticipated collateral consequences will not
8 serve as grounds to withdraw defendant's guilty plea.

9 FACTUAL BASIS

10 6. If this case were to proceed to trial, the United States
11 would prove the following facts beyond a reasonable doubt:

12 On October 30, 2023, in San Bernardino County, within the
13 Central District of California, defendant knowingly transmitted in
14 interstate commerce an electronic communication that contained true
15 threats to injure other persons, namely, victims R.P., R.B., K.J.,
16 and N.J., and their respective family members. Specifically,
17 defendant published a video on defendant's YouTube page on the
18 internet. The video is approximately 3 minutes long and contains
19 multiple true threats directed at R.P., R.B., K.J., and N.J., and
20 their respective families. Defendant admits that the foregoing
21 communications were transmitted for the purpose of issuing threats
22 and with knowledge that the communications would be viewed as
23 threats.

24 SENTENCING FACTORS

25 7. In determining defendant's sentence, the Court is required
26 to calculate the applicable Sentencing Guidelines range and to
27 consider that range, possible departures under the Sentencing
28 Guidelines, and the other sentencing factors set forth in 18 U.S.C. §

1 3553(a). Defendant understands that the Sentencing Guidelines are
2 advisory only, that defendant cannot have any expectation of
3 receiving a sentence within the calculated Sentencing Guidelines
4 range, and that after considering the Sentencing Guidelines and the
5 other § 3553(a) factors, the Court will be free to exercise its
6 discretion to impose any sentence it finds appropriate up to the
7 maximum set by statute for the crimes of conviction.

8 8. Defendant and the United States Attorney's Office for the
9 Central District of California have made no agreement as to the
10 applicable Sentencing Guidelines factors, or the applicable specific
11 offense characteristics, adjustments, and departures under the
12 Sentencing Guidelines or defendant's criminal history category.

13 WAIVER OF CONSTITUTIONAL RIGHTS

14 9. Defendant understands that by pleading guilty, defendant
15 gives up the following rights:

16 a. The right to persist in a plea of not guilty.

17 b. The right to a speedy and public trial by jury.

18 c. The right to be represented by counsel -- and if
19 necessary have the Court appoint counsel -- at trial. Defendant
20 understands, however, that, defendant retains the right to be
21 represented by counsel -- and if necessary have the Court appoint
22 counsel -- at every other stage of the proceeding.

23 d. The right to be presumed innocent and to have the
24 burden of proof placed on the government to prove defendant guilty
25 beyond a reasonable doubt.

26 e. The right to confront and cross-examine witnesses
27 against defendant.

